



## CITY OF WINTER PARK Planning & Zoning Board

Regular Meeting  
City Hall, Commission Chambers

May 6, 2014  
6:00 p.m.

### MINUTES

Chairman James Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: James Johnston, Chairman, Randall Slocum, Peter Gottfried, Shelia De Ciccio, Ross Johnston, Tom Sacha, Peter Weldon, and Robert Hahn. Staff: Planning & Community Development Director Dori Stone and Recording Secretary Lisa Smith.

#### Approval of minutes – March 4, 2014

Motion made by , seconded by to approve the April 8, 2014, meeting minutes. Motion carried unanimously with a 6-0 vote.

#### PUBLIC HEARINGS

**REQUEST OF UP FIELDGATE US INVESTMENTS – WINTER PARK LLC FOR:** CONDITIONAL USE APPROVAL TO REDEVELOP THE FORMER CORPORATE SQUARE AND WINTER PARK DODGE PROPERTIES WITH A 40,000 SQUARE FOOT WHOLE FOODS GROCERY AND A 36,000 SQUARE FOOT RETAIL BUILDING WITH THREE OUTPARCEL DEVELOPMENT SITES ON THE PROPERTIES AT 1030/1050 N. ORLANDO AVENUE, 1160 GALLOWAY DRIVE AND 967 CHEROKEE AVENUE.

**REQUEST OF UP FIELDGATE US INVESTMENTS – WINTER PARK LLC FOR:** AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF MEDIUM DENSITY MULTIFAMILY RESIDENTIAL TO COMMERCIAL FUTURE LAND USE ON THE PROPERTY AT 967 CHEROKEE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

**REQUEST OF UP FIELDGATE US INVESTMENTS – WINTER PARK LLC FOR:** AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING OF MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT TO COMMERCIAL (C-3) DISTRICT ZONING ON THE PROPERTY AT 967 CHEROKEE AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

**REQUEST OF UP FIELDGATE US INVESTMENTS – WINTER PARK LLC FOR:** AN ORDINANCE TO VACATE AND ABANDON PORTIONS OF THE PUBLIC RIGHTS-OF-WAY OF FRIENDS AVENUE AND GALLOWAY DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Planning Manager Jeffrey Briggs presented the staff report. He explained that the applicant, UP Fieldgate US Investments – Winter Park LLC, is requesting preliminary conditional use approval, a comprehensive plan future land use map amendment, rezoning, and a public right-of-way vacation for Friends Avenue and Galloway Drive all for the redevelopment of the properties at 1030 N. Orlando Avenue and 1160 Galloway

Drive (former Corporate Square offices); 1050 N. Orlando Avenue (former Winter Park Dodge) and 967 Cherokee Avenue (overflow Holler Hyundai parking lot).

He explained that all of the properties are designated and zoned Commercial (C-3) except for the 967 Cherokee Avenue property which is designated and zoned Multi-family (R-3). He discussed the history of this and the surrounding properties. He explained that the development combines and assembles these properties and another component includes the vacating and abandonment of the portions of public right-of-ways of Galloway Drive and Friends Avenue interior to this assemblage. He reviewed various aspects of the project (i.e.: site and context, the current development request, building heights, architectural elevations; tree preservation, signage, storm water retention, landscaping, the conditional use process and traffic light coordination). With regard to traffic impact, the applicant has submitted a traffic study. With regard to the extension of Lee Road, he noted that falls under the purview of the City Commission. He explained that the Planning Board makes no decision or recommendation in that regard. Mr. Briggs summarized by stating that staff feels that this project presents a quality redevelopment and enhancement for this 11 acre location. He added that the staff is fully supportive of the Whole Foods project. The City and the applicant both share the goal to make this project as successful as it can be in a gateway entrance location into the City of Winter Park. Staff recommended approval of the "preliminary" conditional use based on the revised staff site plan subject to:

1. The project being limited to monument signage for all ground signs in lieu of pole signs.
2. That for the final conditional use review, the applicant review opportunities for preservation of the major trees on-site.
3. That for the final conditional use review, the city and applicant will negotiate for a proportionate share of funding for traffic signal timing improvements.
4. That for the final conditional use review, a location in the rear of the project be provided for a sanitary sewer lift station as may be required for this project.

Heather Heinz, 420 South Orange Avenue, Orlando, represented UP Fieldgate. She provided the Board members with background on the developers. She also provided a general overview of the applicant's request and introduced the members of the development team. She responded to Board member questions and concerns.

Bob Lochrane, Lochrane Engineering, 201 South Bumby Avenue, walked the Board members through the changes to the proposed plan. He discussed the history of the subject properties to include incorporating the subject properties to make the project work, their working with Whole Foods, and the aesthetics of the site. He said that this proposed store will be larger than the Aloma location. He reviewed the proposed site plan, discussed their concerns with regard to the alternate site plan proposed by staff, and responded to questions posed by members of the Board.

Kim McCain, 118 Architecture, provided Board members with a detailed analysis of the architecture of the proposed project. She responded to Board members questions and concerns.

The Board received public comments from:

Joe Terranova, 151 North Virginia Avenue, said that he feels that the project has a lot of good aspects, but is concerned with the "large sea of parking". He said that he does not feel that issue has been properly addressed.

Sherman Miller, 1631 Diana Drive, wanted to know if this request is based on a prerequisite that the Lee Road Extension will be approved and if it is not, will the developer go forward with this plan. Mr. Briggs explained that if the extension is not approved, the applicant will come back to the Planning Board.

Dan Bellows, 411 West New England Avenue, represented the Benjamin Partners Ravaudage project. He requested that the Board stay on top of the 17/92 median cut. He detailed his concerns about the median cut at Glendon Parkway.

Mary Randall, 1000 South Kentucky, thanked the board members for their observations regarding the established residential areas. She said that she feels that they echo a lot of the concerns of the residents in proximity to the area.

Marilyn Miller, 1631 Diana Drive, expressed concern with safety, specifically people hanging out in the outdoor seating areas.

Gloria Riggins, 677 Swoope Avenue, stated that she is concerned with rezoning residential properties for commercial use. She stated that she feels that special consideration should be given to the new senior residential development on Denning Drive and their safety.

Isaac Jenkins, owner of 1061 Cherokee Avenue, expressed concern for the four residential homes left on Cherokee. He said that he is concerned with noise and wanted to know what type of sound barriers will be in place to protect the existing residential. He also expressed concern with how the redevelopment to commercial will affect the residential property taxes after the project is built out. He noted that there is also no storm water drainage in that particular area.

Shay Silver, 734 Pansy Avenue, explained that she too is concerned for the surrounding residential as well as noise from mechanical units on the roof, noise from the trucks, pedestrian safety crossing 17/92, and the need for more trees.

Lurline Fletcher, 811 English Court, opposed the vacating of Friends Avenue and Galloway Drive, loss of trees and noise from the trucks.

Mary Daniels, 650 Canton Avenue, said that she feels that if the piece milling of the comprehensive plan and rezonings continue, there will be nothing left. She said that she feels that is what opens the door for precedents.

Drew Krecicki, 1711 Chestnut Avenue, agreed with many of the previous comments. He expressed concern with what will be going on to the east of the project and cut-thru traffic on Lee Road. He said that he feels that will affect the neighborhood to the east of the site.

Linda Walker, 794 Comstock Avenue, stated that she feels that there is an excessive amount of rezonings and comprehensive plan amendments in west Winter Park.

Jeffrey Blydenburg, 204 Genius Drive, expressed that he feels that there needs to be a more visioning. He added that he feels that entire 17/92 corridor needs a master plan.

Daniel Assael, 1144 Park Green Place, represented the Park Green HOA. He stated that they generally support the project. He said that he feels that serious consideration needs to be given to the homes to the east of the project. He also expressed concern with parking for the project.

No one else wished to speak concerning this matter.

The applicant was allowed an opportunity to rebut. She said that she feels that City staff does in fact listen to its citizens with regard to the 17/92 corridor. The Architect responded to the concerns brought up about the roof-top equipment and loading dock. She said that the plan is still in the preliminary phase and there are design techniques that can be incorporated into the plan to alleviate the noise issue (i.e., the construction of the wall and landscaping). The traffic consultant spoke regarding the concerns raised about median cuts. He explained that the traffic study did recommend removing the median cut at Friends Avenue due to its proximity to the Lee Road traffic light and also the median cut at Glendon Parkway due to its proximity to the potential signal at Solana Avenue. He said that discussions will continue with FDOT until a final resolution is reached.

Troy Attaway, Public Works Director, stated that the City does not favor the closing of the Glendon Parkway median. He said that further discussions will take place. Mr. Briggs stated that the meeting tonight is only Planning & Zoning Board

preliminary and no decisions can be made in this regard. Mr. Bellows was allowed to come back and give the Board members an overview of proposed Ravaudage signalization.

The public hearing was closed.

Mr. Briggs stated that City staff learned a lot with the Trader Joe's and the acoustical studies that were required for that project. He said that staff is better prepared to address noise from the mechanical equipment. Mr. Weldon stated that he is excited about the project because it is in a commercial area, but feels that many of the issues brought up tonight require more study. Mr. Sacha agreed with Mr. Weldon. They wanted to see the building relocated in a similar fashion to what was presented by staff. Board members were in agreement with his comments. The Board members discussed the pros/cons of tabling the request. The Chairman called a recess to allow the applicant an opportunity to discuss options for the proposed project.

Meeting recessed at 7:56 p.m. and reconvened at 8:01 p.m.

Ms. Heinz said that the applicant agrees to table the preliminary conditional use and requested that the Board take action on the comprehensive plan amendment, rezoning and right-of-way vacation because those items will require two public hearings before the City Commission. She said that a continuance will allow them time to work with staff to work out some of the issues raised. Board members were agreeable to this request.

**Motion made by Mr. Sacha, seconded by Mr. Weldon to approve the request to change the future land use designation from medium density multi-family residential to commercial future land use on the property at 967 Cherokee avenue. Motion carried with a 4-1 vote. Mr. Slocum voted against the motion.**

**Motion made by Mr. Sacha, seconded by Mr. R. Johnston to approve the request to as to change the zoning from Medium Density Multi-Family Residential (R-3) district to Commercial (C-3) district zoning on the property at 967 Cherokee Avenue. Motion carried with a 4-1 vote. Mr. Slocum voted against the motion.**

**Motion made by Mr. Sacha, seconded by Mr. Weldon to approve the request to vacate and abandon portions of the public rights-of-way of Friends Avenue and Galloway Drive. Motion carried unanimously with a 5-0.**

**Motion made by Mr. Weldon, seconded by Mr. Sacha to table the conditional use request until the June 6, 2014 Planning and Zoning Board meeting. Motion carried unanimously with a 5-0 vote.**

**REQUEST OF 1776 REAL ESTATE ADVISORS LLC TO:** AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY MUTIFAMILY RESIDENTIAL FUTURE LAND USE ON THE 0.64 ACRES OF VACANT PROPERTY AT THE NORTHEAST CORNER OF SCHULTZ AND MICHIGAN AVENUES, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

**REQUEST OF 1776 REAL ESTATE ADVISORS LLC TO:** AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING OF LOW DENSITY RESIDENTIAL (R-2) DISTRICT TO MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ON THE 0.64 ACRES OF VACANT PROPERTY AT THE NORTHEAST CORNER OF SCHULTZ AND MICHIGAN AVENUES, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Planning Manager Jeffrey Briggs gave the staff report. He explained that the applicants, 1776 Real Estate Advisors LLC, have a contract to purchase (contingent upon rezoning) the vacant 0.94 acres on the northeast Planning & Zoning Board

corner of Schultz and Michigan Avenues. He explained that the entire vacant property is 310 feet along Michigan Avenue and 131.5 feet along Schultz Avenue and is 40,765 square feet. The eastern 100 feet (0.30 acres) is zoned R-3 and the western 200 feet (0.64 acres) is zoned R-2. That western 200 feet (0.64 acres) is what is requested to be rezoned from R-3 to R-2 along with the companion future land use change. Mr. Briggs reviewed the existing zoning development potential of the subject properties, and discussed the history of the neighborhood zoning. He said that the Development Plan presented to the City does not fully utilize all of the development potential of the R-3 code. He explained the code provisions in this regard. He said that the applicant has agreed to accept the limitations of 12 units; two stories and 36,000 square feet. These terms are to be formalized in a Development Agreement and referenced within the text of the Zoning Ordinance. He said that staff believes that just as the Townhomes at Harper Place have fit in nicely with the scale and character of the neighborhood, this project also, within these limitations will also blend in very well with the surrounding area. This project is just about the same residential density in terms of units/acre, it is similar as a two story product and similar in total floor area ratio. Staff recommended approval of the request subject to the limitations as incorporated in to the Development Agreement, which is referenced in the Zoning Ordinance. Mr. Briggs responded to Board member questions and concerns.

Randall Glidden, ACI Architects, 955 North Pennsylvania Avenue, represented the applicants. He stated that they have worked closely with staff during the application process, and are in agreement with the details of the staff report. He responded to Board member questions and concerns.

The Board received public comment from:

James Tsikouras, 1288 Michigan Avenue, had questions regarding future redevelopment plans for this area. He also wanted to know what will happen to the trees on the lot.

Linda Walker-Chappell, 794 Comstock Avenue, spoke concerning the request. She said that she feels that when properties are purchased, consideration should be given to residents that already reside in the area when redevelopment of the property occurs.

No one else wished to speak concerning this issue. Public Hearing closed.

Mr. Weldon stated that he feels that this redevelopment is a very good compromise for the city and further that what is proposed will be an asset to the existing neighborhood.

**Motion made by Mr. Sacha, seconded by Mr. Weldon to approve the request to change the future land use designation from low density residential to medium density multi-family residential future land use on the 0.64 acres of vacant property at the northeast corner of Schultz and Michigan avenues. Motion carried unanimously with a 5-0 vote.**

**Motion made by Mr. Sacha, seconded by Mr. Slocum to change the zoning from Low Density Residential (R-2) district to Medium Density Multi-Family Residential (R-3) district on the 0.64 acres of vacant property at the northeast corner of Schultz and Michigan avenues. Motion carried unanimously with a 5-0 vote.**

**REQUEST OF GARMET LTD TO:** AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE MAP SO AS CHANGE THE FUTURE LAND USE MAP DESIGNATION OF COMMERCIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTIES AT 298 AND 313 W. NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

**REQUEST OF GARMET LTD TO:** AMEND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS CHANGE THE EXISTING ZONING DESIGNATIONS OF GENERAL COMMERCIAL (C-3), LIMITED COMMERCIAL (C-3A) AND MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICTS TO

COMMERCIAL (C-2) DISTRICT ON THE PROPERTIES AT 298 AND 313 W. NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Planning Manager Jeffrey Briggs presented the staff report. He said that the applicant, Garmet Ltd. (property owner) of 298 and TBB Ltd. (property owner) of 313 W. New England Avenue to change the Comprehensive Plan and Zoning to Central Business District (C-2). The property at 298 W. New England, on the southeast corner of New England and Virginia Avenues, is 38,768 sq. ft. in size (0.89 acres) and has existing C-3, C-3A and R-3 zoning. The property at 313 W. New England, on the north side of New England Avenue is 13,000 sq. ft. in size (0.30 acres) and has existing R-3 zoning. He discussed the history of zoning and comprehensive plan policies in the CRA area. The staff recommendation in October 2008 was in favor of CBD and C-2 zoning for this area and the staff continues to believe that is appropriate based on continuing the redevelopment pattern that has already occurred along New England Avenue. It also was based on the recognition that the City still has the review and approval control over all redevelopment since the code requires P&Z/City Commission approval of any building/building addition over 500 square feet. It is also important to note that the former Grant Chapel property at 301 West New England in this same area is already designated CBD and zoned C-2. That was done prior to the Comp. Plan Policy change in 2009. One can debate the merits of the transition in density for this block (200% FAR vs. 100% FAR) but that transition will still be in effect on the eastern half of the block. Staff recommended approval of the change to Central Business District FLU and C-2 Zoning for the properties at 298 and 313 West New England Avenue. Mr. Briggs responded to Board member questions and concerns.

Dan Bellows, 411 West New England Avenue, represented the applicant. He discussed the history of zoning and comprehensive plan issues on properties that he has purchased on properties in that particular area. He explained that the City encouraged and promoted C-2 zoning and the redevelopment that currently exists. Further, this requested change brings the property into compliance with the current zoning and future land use for the surrounding properties. He responded to Board member questions and concerns.

The Board received public comments from:

Linda Walker, 794 Comstock Avenue, stated that she has been opposed to the redevelopment since the onset. She also expressed concern with the loss of homes in the CRA area.

Lurline Fletcher, 811 English Court, expressed concern with the loss of parking due to the construction of the commercial buildings.

Mary Daniels, 650 Canton Avenue, said that she feels that the Board should go along with previous issues where decisions are placed on hold until the applicant provides a plan for redevelopment. She noted that with this particular request no such plan has been provided. She wanted to know what is going to go on the subject property. She expressed opposition to the construction of another parking garage.

Martha Hall, 331 Lyman Avenue, spoke her concerns with regard to how properties have been acquired specifically on the City's west side.

No one else wished to speak concerning this request. Public Hearing closed.

**Motion made by Mr. Sacha, seconded by Mr. R. Johnston to approve the request to change the future land use map designation of Commercial to Central Business District on the properties at 298 and 313 W. New England Avenue. Motion carried unanimously with a 5-0 vote.**

**Motion made by Mr. Sacha, seconded by Mr. Weldon to approve the request to change the existing zoning designations of General Commercial (C-3), Limited Commercial (C-3a) and Medium Density Multi-Family Residential (R-3) districts to Commercial (C-2) district on the properties at 298 and 313 W. New England Avenue. Motion carried unanimously with a 5-0 vote.**

**NEW BUSINESS:**

The following people addressed the Board under New Business:

Linda Walker, 794 Comstock Avenue, added her concerns with regard to future rezonings and comprehensive plan amendments for the west side community.

Mary Daniels, 650 Canton Avenue, spoke concerning storm water for the proposed Whole Foods. She encouraged the City to work with adjacent residential property owners in that regard.

Date of Next Regular Meeting: Tuesday, June 3, 2014 @ 6:00 p.m.

Date of Next Work Session Meeting: Tuesday, May 27, 2014 at 12:00 Noon.

**There was no further business. Meeting adjourned at 9:30 p.m.**

Respectfully submitted,

Lisa M. Smith  
Recording Secretary

DRAFT